

REV. 2/2016

Case 1:16-cv-01617-PAE Document 2 Filed 03/02/16 Page 1 of 2

The JS-44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for use of the Clerk of Court for the purpose of initiating the civil docket sheet.

PLAINTIFFS
Ester Kelen

DEFENDANTS
Nordstrom, Inc.
Nordstrom FSB d/b/a Nordstrom Bank

ATTORNEYS (FIRM NAME, ADDRESS, AND TELEPHONE NUMBER)
Harley Schnall

ATTORNEYS (IF KNOWN)

Law Office of Harley J. Schnall
711 West End Avenue
New York, NY 10025

CAUSE OF ACTION (CITE THE U.S. CIVIL STATUTE UNDER WHICH YOU ARE FILING AND WRITE A BRIEF STATEMENT OF CAUSE)
(DO NOT CITE JURISDICTIONAL STATUTES UNLESS DIVERSITY)

15 U.S.C. §1640

Has this action, case, or proceeding, or one essentially the same been previously filed in SDNY at any time? No ☒ Yes ☐ Judge Previously Assigned

If yes, was this case Vol. ☐ Invol. ☐ Dismissed. No ☐ Yes ☐ If yes, give date _____ & Case No. _____

IS THIS AN INTERNATIONAL ARBITRATION CASE?

No ☒

Yes ☐

(PLACE AN [x] IN ONE BOX ONLY)

NATURE OF SUIT

TORTS		ACTIONS UNDER STATUTES			
CONTRACT	PERSONAL INJURY	PERSONAL INJURY	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES
[] 110 INSURANCE	[] 310 AIRPLANE	[] 367 HEALTHCARE/	[] 825 DRUG RELATED	[] 422 APPEAL	[] 375 FALSE CLAIMS
[] 120 MARINE	[] 315 AIRPLANE PRODUCT	PHARMACEUTICAL PERSONAL	SEIZURE OF PROPERTY	28 USC 158	[] 376 QUI TAM
[] 130 MILLER ACT	LIABILITY	[] 365 PERSONAL INJURY	21 USC 881	[] 423 WITHDRAWAL	[] 400 STATE
[] 140 NEGOTIABLE	[] 320 ASSAULT, LIBEL &	PRODUCT LIABILITY	[] 890 OTHER	28 USC 157	REAPPORTIONMENT
[] 150 RECOVERY OF	[] 330 FEDERAL	[] 368 ASBESTOS PERSONAL			[] 410 ANTITRUST
OVERPAYMENT &	EMPLOYERS'	INJURY PRODUCT			[] 430 BANKS & BANKING
ENFORCEMENT	LIABILITY	LIABILITY			[] 450 COMMERCE
OF JUDGMENT	[] 340 MARINE	PERSONAL PROPERTY		PROPERTY RIGHTS	[] 460 DEPORTATION
[] 151 MEDICARE ACT	[] 345 MARINE PRODUCT	[] 370 OTHER FRAUD		[] 820 COPYRIGHTS	[] 470 RACKETEER INFLU-
[] 152 RECOVERY OF	LIABILITY	[] 371 TRUTH IN LENDING		[] 830 PATENT	ENCED & CORRUPT
DEFAULTED	[] 350 MOTOR VEHICLE			[] 840 TRADEMARK	ORGANIZATION ACT
STUDENT LOANS	[] 355 MOTOR VEHICLE				(RICO)
(EXCL. VETERANS)	PRODUCT LIABILITY			SOCIAL SECURITY	[] 480 CONSUMER CREDIT
[] 153 RECOVERY OF	[] 360 OTHER PERSONAL	[] 380 OTHER PERSONAL	LABOR	[] 961 HIA (1395ff)	[] 490 CABLE/SATELLITE TV
OVERPAYMENT	INJURY	PROPERTY DAMAGE	[] 710 FAIR LABOR	[] 962 BLACK LUNG (923)	
OF VETERAN'S	[] 362 PERSONAL INJURY -	[] 385 PROPERTY DAMAGE	STANDARDS ACT	[] 963 DIWC/DIWW (405(g))	[] 850 SECURITIES/
BENEFITS	MED MALPRACTICE	PRODUCT LIABILITY	[] 720 LABOR/MGMT	[] 964 SSID TITLE XVI	COMMODITIES/
[] 160 STOCKHOLDERS			RELATIONS	[] 965 RSI (405(g))	EXCHANGE
SUITS		PRISONER PETITIONS	[] 740 RAILWAY LABOR ACT		[] 890 OTHER STATUTORY
[] 190 OTHER	ACTIONS UNDER STATUTES	[] 403 ALIEN DETAINEE	[] 751 FAMILY MEDICAL	FEDERAL TAX SUITS	ACTIONS
CONTRACT	CIVIL RIGHTS	[] 510 MOTIONS TO	[] 790 OTHER LABOR	[] 870 TAXES (U.S. Plaintiff or	[] 891 AGRICULTURAL ACTS
CONTRACT	[] 440 OTHER CIVIL RIGHTS	VACATE SENTENCE	LITIGATION	Defendant)	[] 893 ENVIRONMENTAL
PRODUCT	(Non-Prisoner)	28 USC 2255	[] 791 EMPL RET INC	[] 871 IRS-THIRD PARTY	MATTERS
LIABILITY		[] 530 HABEAS CORPUS	SECURITY ACT (ERISA)	26 USC 7809	[] 895 FREEDOM OF
[] 196 FRANCHISE		[] 535 DEATH PENALTY			INFORMATION ACT
		[] 540 MANDAMUS & OTHER			[] 896 ARBITRATION
REAL PROPERTY	[] 441 VOTING	PRISONER CIVIL RIGHTS	IMMIGRATION		[] 899 ADMINISTRATIVE
[] 210 LAND	[] 442 EMPLOYMENT	[] 550 CIVIL RIGHTS	[] 462 NATURALIZATION		PROCEDURE ACT/REVIEW OR
[] 220 CONDEMNATION	[] 443 HOUSING/	[] 555 PRISON CONDITION	APPLICATION		APPEAL OF AGENCY DECISION
[] 230 FORECLOSURE	ACCOMMODATIONS	[] 560 CIVIL DETAINEE	[] 465 OTHER IMMIGRATION		
RENT LEASE &	[] 445 AMERICANS WITH	CONDITIONS OF CONFINEMENT	ACTIONS		[] 960 CONSTITUTIONALITY OF
EJECTMENT	DISABILITIES -				STATE STATUTES
[] 240 TORTS TO LAND	EMPLOYMENT				
[] 245 TORT PRODUCT	[] 446 AMERICANS WITH				
LIABILITY	DISABILITIES -OTHER				
[] 290 ALL OTHER	[] 448 EDUCATION				
REAL PROPERTY					

Check if demanded in complaint:

☒ CHECK IF THIS IS A CLASS ACTION
UNDER F.R.C.P. 23

DO YOU CLAIM THIS CASE IS RELATED TO A CIVIL CASE NOW PENDING IN S.D.N.Y.?
IF SO, STATE:

DEMAND \$ 1,000,000 OTHER costs + fees

JUDGE DOCKET NUMBER

Check YES only if demanded in complaint

JURY DEMAND: ☒ YES ☐ NO

NOTE: You must also submit at the time of filing the Statement of Relatedness form (Form IH-32).

(PLACE AN x IN ONE BOX ONLY)

- ORIGIN**
- ☒ 1 Original Proceeding ☐ 2 Removed from State Court ☐ 3 Remanded from Appellate Court ☐ 4 Reinstated or Reopened ☐ 5 Transferred from (Specify District) ☐ 6 Multidistrict Litigation ☐ 7 Appeal to District Judge from Magistrate Judge Judgment
- ☐ a. all parties represented ☐ b. At least one party is pro se.

(PLACE AN x IN ONE BOX ONLY)

- BASIS OF JURISDICTION**
- ☐ 1 U.S. PLAINTIFF ☐ 2 U.S. DEFENDANT ☒ 3 FEDERAL QUESTION (U.S. NOT A PARTY) ☐ 4 DIVERSITY

IF DIVERSITY, INDICATE CITIZENSHIP BELOW.

CITIZENSHIP OF PRINCIPAL PARTIES (FOR DIVERSITY CASES ONLY)

(Place an [X] in one box for Plaintiff and one box for Defendant)

CITIZEN OF THIS STATE	PTF DEF <input checked="" type="checkbox"/> 1 <input type="checkbox"/> 1	CITIZEN OR SUBJECT OF A FOREIGN COUNTRY	PTF DEF <input type="checkbox"/> 3 <input type="checkbox"/> 3	INCORPORATED and PRINCIPAL PLACE OF BUSINESS IN ANOTHER STATE	PTF DEF <input type="checkbox"/> 5 <input checked="" type="checkbox"/> 5
CITIZEN OF ANOTHER STATE	<input type="checkbox"/> 2 <input type="checkbox"/> 2	INCORPORATED or PRINCIPAL PLACE OF BUSINESS IN THIS STATE	<input type="checkbox"/> 4 <input type="checkbox"/> 4	FOREIGN NATION	<input type="checkbox"/> 6 <input type="checkbox"/> 6

PLAINTIFF(S) ADDRESS(ES) AND COUNTY(IES)
 27 West 72 Street
 New York, NY 10025 (New York County)

DEFENDANT(S) ADDRESS(ES) AND COUNTY(IES)
 Nordstrom, Inc.
 1617 6th Avenue; Seattle, WA 98101 (King County)

Nordstrom FSB d/b/a Nordstrom Bank
 8502 East Princess Drive, Suite 150; Scottsdale, AZ 85255 (Maricopa County)

DEFENDANT(S) ADDRESS UNKNOWN

REPRESENTATION IS HEREBY MADE THAT, AT THIS TIME, I HAVE BEEN UNABLE, WITH REASONABLE DILIGENCE, TO ASCERTAIN THE RESIDENCE ADDRESSES OF THE FOLLOWING DEFENDANTS:

Check one: THIS ACTION SHOULD BE ASSIGNED TO: ☐ WHITE PLAINS ☒ MANHATTAN
 (DO NOT check either box if this is a PRISONER PETITION/PRISONER CIVIL RIGHTS COMPLAINT.)

DATE 3.02.2016

SIGNATURE OF ATTORNEY OF RECORD

ADMITTED TO PRACTICE IN THIS DISTRICT

☐ NO
☒ YES (DATE ADMITTED Mo. _____ Yr. _____)
 Attorney Bar Code # HS-7341

RECEIPT #

Magistrate Judge is to be designated by the Clerk of the Court.

Magistrate Judge _____ is so Designated.

Ruby J. Krajick, Clerk of Court by _____ Deputy Clerk, DATED _____.

UNITED STATES DISTRICT COURT (NEW YORK SOUTHERN)